

*16* *29*  
--<sup>16</sup> 31. The heat treatment apparatus as set forth in claim 44:

*Alc*  
wherein, on a lower surface side of the cover assembly, a flat surface opposite to the heating plate is formed. --

### REMARKS

This is in full and timely response to the Office Action mailed May 18, 2000. Reexamination in light of the above amendments and the following remarks is respectfully requested.

By the foregoing amendment, original claims 8, 11 and 13-25 have been canceled without prejudice or disclaimer to their underlying subject matter. Claim 1 was amended to incorporate the patentable features of claim 8, and claim 3 was amended to incorporate the patentable features of claim 11. Claim 26 was amended to depend from allowable claim 1. Claims 31-34 were amended to eliminate ambiguity with respect to the heater. New claim 37 is similar to claim 2 and depends from claim 9. New claim 38 is similar to claim 7, and depends from claim 9. New claim 39 is similar to claim 4, and depends from claim 12. New claim 40 is similar to claim 10, and depends from claim 12. New claims 41-51 represent claims 26-36 dependent upon claim 3. Thus, claims 1-7, 9, 10, 12 and 26-51 are currently pending for the Examiner's reconsideration, with claims 1 and 3 being independent.

*can they do since they were non-elected* *check check check check*

Applicants wish to thank the Examiner for acknowledging that claims 8, 9, 11 and 12 contain allowable subject matter.

#### Rejections under 35 U.S.C. §102

Claims 1-4, 7 and 10 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 5,635,093 to Arena et al. Applicants respectfully traverse this rejection.

By this Amendment, Applicants have combined the patentable features of claim 8 with claim 1, and the patentable features of claim 11 with claim 3. Consequently, the 35 U.S.C. §102 rejection is moot, and claims 1-4, 7 and 10 should pass to issue.

Generic Claims Allowed

Claims 1 and 3 are generic and allowable. By this Amendment, Applicants reintroduce the species of claims 5 and 26-36 as depending from generic claim 1, thereby including all the limitations of the generic claim from which they depend. Additionally, Applicants reintroduce claim 6 and introduce new claims 41-51 having the same species as claims 5 and 26-36, depending upon generic claim 3, and thereby including all the limitations of the generic claim from which they depend. Accordingly, claims 5 and 26-36 depending from generic claim 1 and claims 6 and 41-51 depending from generic claim 3 are allowable, and Applicants request that the restriction requirement be removed.

Conclusion

For the foregoing reasons, claims 1-7, 9, 10, 12 and 26-51 are allowable, and the present application is in condition for allowance. Accordingly, favorable reexamination and reconsideration of the application in light of these amendments and remarks is courteously solicited. If the examiner has any comments or suggestions which would place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number below.

Date:

Respectfully submitted,



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